

AMENDED IN SENATE AUGUST 28, 2000

AMENDED IN SENATE AUGUST 14, 2000

AMENDED IN ASSEMBLY MAY 26, 2000

AMENDED IN ASSEMBLY APRIL 25, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1951

Introduced by Assembly Member Longville

(Principal coauthor: Assembly Member Torlakson)

(Coauthors: Assembly Members Alquist, *Bates*, Calderon, Cardoza, Cunneen, ~~Havice~~ *Dutra*, *Havice*, Jackson, Knox, Kuehl, Machado, Romero, and Runner)

(Coauthors: Senators Figueroa and Solis)

February 15, 2000

An act to amend Section 99314 of, and to add Sections 99314.1 ~~and 99314.2~~ 99314.2, *and* 99314.3 to, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1951, as amended, Longville. Transportation: public transit: funding.

(1) Existing law requires that a specified portion of the funds in the Public Transportation Account in the State Transportation Fund be appropriated to the Controller for allocation to transportation planning agencies and county transportation commissions, as specified, for allocation to the transit operators in the area of the agency's or commission's

jurisdiction. The allocations to the operators are required to be based on the ratio that the operator's revenue during the prior fiscal year bears to the total revenue of all operators within the agency's or commission's jurisdiction for the prior fiscal year.

Under existing law, the Southern California Regional Rail Authority consists of 5 member agencies, but may be expanded as specified, and the Altamont Commuter Express Authority consists of 3 member agencies.

This bill would require each authority to report to the Controller, on an annual basis, the ratio that the revenue, as defined, of each member agency of the authority during the prior fiscal year bears to the total revenue of the authority during that fiscal year, thereby imposing a state-mandated local program. The bill would require the Controller to allocate to each member agency of the authority, from funds made available from the account, as specified above, an amount that is based on the ratio provided by the authority. The bill would require the allocation to be in addition to other specified allocations.

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 99314 of the Public Utilities Code is amended to read:

99314. (a) From funds made available pursuant to subdivision (b) of Section 99312, an amount shall be allocated by the Controller to each transportation planning agency and county transportation commission, ~~the member agencies of the Altamont Commuter Express Authority, the member agencies of the Southern California Regional Rail Authority, and the San Diego Metropolitan Transit Development Board, based on the ratio of the total revenue of all the operators in the area under its jurisdiction during the prior fiscal year to the total revenue of all the operators in the state during the~~ and the San Diego Metropolitan Transit Development Board. The allocation shall include an amount corresponding to each of the member agencies of the Altamont Commuter Express Authority and the Southern California Regional Rail Authority. The amount of funds allocated shall be based on the ratio of the total revenue of all the operators and the member agencies of the Altamont Commuter Express Authority and the Southern California Regional Rail Authority in the area under their respective jurisdictions during the prior fiscal year to the total revenue of all the operators in the state and the member agencies of the Altamont Commuter Express Authority and the member agencies of the Southern California Regional Rail Authority during the prior fiscal year.

(b) For purposes of this section and Section 99314.3, “revenue” means fare revenues and any other funds used by the operator for its transit operation, ~~and the revenue that is derived from operating as a member of the authority pursuant to Section 99314.1,~~ except federal and state funds which may only be used for transportation purposes and funds allocated pursuant to Section 99233. The revenue amount for each operator shall be determined from the annual report submitted to the Legislature by the Controller pursuant to Section 99243.5.

1 *The revenue amount for each member agency of the*
2 *Altamont Commuter Express Authority and the*
3 *Southern California Regional Rail Authority shall be*
4 *determined by the revenues reported to the Controller*
5 *by the respective authorities in accordance to subdivision*
6 *(b) of Section 99314.1 and subdivision (b) of Section*
7 *99314.2, respectively.*

8 ~~This section shall become operative on July 1, 1987.~~

9 SEC. 2. Section 99314.1 is added to the Public Utilities
10 Code, to read:

11 99314.1. (a) For purposes of this section, the
12 following terms have the following meanings:

13 (1) The “Altamont Commuter Express Authority” or
14 the “authority” is the joint powers agency duly formed
15 pursuant to Article 1 (commencing with Section 6500) of
16 Chapter 5 of Division 7 of Title 1 of the Government
17 Code, by and between the Alameda Congestion
18 Management Agency, the Santa Clara Valley
19 Transportation Authority, and the San Joaquin Regional
20 Rail Commission.

21 (2) “Revenue” means revenue, as defined in
22 subdivision (b) of Section 99314, that is derived from
23 operating as a member agency of the authority.

24 (b) The Altamont Commuter Express Authority shall
25 report to the Controller, for each fiscal year, the ratio that
26 the revenue of each member agency of the authority
27 during the prior fiscal year bears to the total revenue of
28 the authority during that fiscal year.

29 (c) (1) From funds made available pursuant to
30 subdivision (b) of Section 99312, the Controller shall
31 allocate to each member agency of the authority an
32 amount that is based on the ratio provided under
33 subdivision (b).

34 (2) The allocation set forth in paragraph (1) shall be
35 in addition to any other allocation provided under this
36 article.

37 (3) Allocations made under this section shall be used
38 only for purposes authorized under this chapter.

39 SEC. 3. Section 99314.2 is added to the Public Utilities
40 Code, to read:

1 99314.2. (a) For purposes of this section, the
2 following terms have the following meanings:

3 (1) The “Southern California Regional Rail Authority”
4 or the “authority” is that joint powers authority described
5 in Section 14072 of the Government Code and includes
6 any additional agencies that may join the authority under
7 Section 14072.2 of that code.

8 (2) “Revenue” means revenue, as defined in
9 subdivision (b) of Section 99314, that is derived from
10 operating as a member agency of the authority.

11 (b) The Southern California Regional Rail Authority
12 shall report to the Controller, on an annual basis, the ratio
13 that the revenue of each member agency of the authority
14 during the prior fiscal year bears to the total revenue of
15 the authority during that fiscal year.

16 (c) (1) From funds made available pursuant to
17 subdivision (b) of Section 99312, the Controller shall
18 allocate to each member agency of the authority an
19 amount that is based on the ratio provided under
20 subdivision (b).

21 (2) The allocation set forth in paragraph (1) shall be
22 in addition to any other allocation provided under this
23 article.

24 (3) Allocations made under this section shall be used
25 only for purposes authorized under this chapter.

26 ~~SEC. 4. Notwithstanding Section 17610 of the~~
27 ~~Government Code, if the Commission on State Mandates~~
28 ~~determines that this act contains costs mandated by the~~
29 ~~state, reimbursement to local agencies and school~~
30 ~~districts for those costs shall be made pursuant to Part 7~~
31 ~~(commencing with Section 17500) of Division 4 of Title~~
32 ~~2 of the Government Code. If the statewide cost of the~~
33 ~~claim for reimbursement does not exceed one million~~
34 ~~dollars (\$1,000,000), reimbursement shall be made from~~
35 ~~the State Mandates Claims Fund.~~

36 *SEC. 4. Section 99314.3 of the Public Utilities Code is*
37 *amended to read:*

38 99314.3. (a) The amount received by each
39 transportation planning agency and county
40 transportation commission, and the San Diego

1 Metropolitan Transit Development Board, pursuant to
2 Section 99314 shall be allocated to the operators in the
3 area of its jurisdiction.

4 (b) *The amount of funds allocated by the Controller*
5 *corresponding to each of the member agencies of the*
6 *Altamont Commuter Express Authority and the member*
7 *agencies of the Southern California Regional Rail*
8 *Authority, pursuant to Section 99314, shall be allocated by*
9 *the transportation planning agency having jurisdiction*
10 *over the member agency's area, for purposes authorized*
11 *in this chapter. The allocation shall be based on the ratio*
12 *of the revenues of each of the member agencies and of all*
13 *the operators during the prior fiscal year within the area*
14 *of jurisdiction of the allocating agency, commission, or*
15 *board as the case may be.*

16 (c) The amount allocated to each operator pursuant to
17 this section shall be based on the ratio of its revenue *of all*
18 *the operations and the member agencies of the Altamont*
19 *Commuter Express Authority and the member agencies*
20 *of the Southern California Rail Authority* during the prior
21 fiscal year to the total revenue of all the operators during
22 the prior fiscal year within the area of jurisdiction of the
23 allocating agency, commission, or board, as the case may
24 be.

25 ~~(e)~~

26 (d) For purposes of subdivision (a), the City and
27 County of San Francisco with respect to its municipal
28 railway system, the Alameda-Contra Costa Transit
29 District, and the San Francisco Bay Area Rapid Transit
30 District shall be considered one operator. The amount
31 allocated to them as one operator shall be apportioned to
32 each of them based on the ratio of its revenue to the sum
33 of their revenues, excluding from the determination of
34 that ratio the amount allocated to each of them pursuant
35 to Section 29142.2.

36 SEC. 5. No reimbursement is required by this act
37 pursuant to Section 6 of Article XIII B of the California
38 Constitution because the only costs that may be incurred
39 by a local agency or school district are the result of a
40 program for which legislative authority was requested by



1 that local agency or school district, within the meaning of
2 Section 17556 of the Government Code and Section 6 of
3 Article XIII B of the California Constitution.

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